

BERGER | HARRIS

ROBERT D. TERRY, ESQUIRE
C/O STEPHEN PARKER/PAGE PERRY, LLC
1040 CROWN POINTE PARKWAY, STE 1050
ATLANTA, GA 30338

STATEMENT DATE:
STATEMENT NO.
ACCOUNT NO.

Oct. 31, 2012
4170
99308.00
PAGE 1

RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
10/11/2012		
JH	CONFER WITH D. ANTHONY REGARDING BACKGROUND AND CERTAIN LEGAL ISSUES; FOLLOW-UP CONFERENCE WITH D. ANTHONY REGARDING SAME; TELEPHONE CALL WITH S. PARKER REGARDING SAME; SEVERAL E-MAILS TO/FROM S. PARKER.	1.00
DA	REVIEWING PLEADINGS AND FILINGS FORWARDED BY CLIENT; CONFERENCE CALL WITH CO-COUNSEL TO DISCUSS STRATEGY MOVING FORWARD	1.20
10/12/2012		
JH	NUMEROUS INTERNAL/EXTERNAL COMMUNICATIONS REGARDING "REMOVAL" EXTENSION OF TIME TO RESPOND TO COMPLAINT PLUS OTHER OPEN ISSUES.	0.50
10/16/2012		
DA	RESEARCHING JURISDICTIONAL BASIS FOR REMOVING CASE TO FEDERAL COURT AND TRANSFERRING CASE TO GEORGIA	3.50
10/17/2012		
JH	CONFER WITH D. ANTHONY REGARDING REMOVAL/TRANSFER ISSUES; NUMEROUS COMMUNICATIONS WITH S. PARKER; TELEPHONE CALLS WITH PLAINTIFF'S COUNSEL; E-MAILS TO/FROM PLAINTIFF'S COUNSEL; FOLLOW-UP CONFERENCE WITH D. ANTHONY REGARDING REMOVAL ISSUE.	0.60
10/18/2012		
JH	CONFER WITH D. ANTHONY REGARDING REMOVAL PETITION; REVIEW DRAFT PETITION.	0.50
DA	DRAFTING NOTICE OF REMOVAL AND REMOVAL PETITION	4.50

1201 N. ORANGE STREET, 3RD FLOOR * WILMINGTON, DELAWARE 19801 * PHONE 302.655.1140 * FAX 302-655-1131

FEDERAL ID: 27-0899558

Exhibit "D"

ROBERT D. TERRY, ESQUIRE

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Oct. 31, 2012

99308-00M

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ACCOUNT NO:

STATEMENT NO:

TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

		HOURS	
10/19/2012			
JH	CONFER WITH D. ANTHONY REGARDING REMOVAL ISSUE;		
	TELEPHONE CALL WITH S. PARKER REGARDING SAME; SEVERAL		
	EXTERNAL E-MAILS REGARDING SAME.	0.80	
DA	PHONE CALL WITH CO-COUNSEL REGARDING BASIS FOR		
	REMOVAL; RESEARCHING SAME	1.80	
10/23/2012			
MN	FILE ENTRY OF APPEARANCE OF JOHN G. HARRIS, ESQUIRE AND		
	DAVID B. ANTHONY, ESQUIRE OF BERGER HARRIS, LLC AS		
	COUNSEL FOR ROBERT D. TERRY, ESQUIRE, RECEIVER FOR THE		
	ESTATE OF DEFENDANT SUMMIT WEALTH MANAGEMENT, INC.	0.30	
JH	SEVERAL E-MAILS TO/FROM S. PARKER; INTERNAL CONFERENCE		
	REGARDING ENTRY OF APPEARANCE AND OTHER OPEN ITEMS.	0.20	
10/31/2012			
JH	TELEPHONE CALL WITH S. PARKER REGARDING REQUEST FOR		
	EXTENSION; FOLLOW-UP TELECONFERENCE WITH S. PARKER;		
	E-MAILS TO/FROM S. PARKER.	0.30	
	FOR CURRENT SERVICES RENDERED	15.20	4,267.50

RECAPITULATION

TIMEKEEPER	HOURS	RATE	TOTAL
JOHN HARRIS	3.90	\$285.00	\$1,111.50
DAVID ANTHONY	11.00	285.00	3,135.00
MARSHA NICHOLLS	0.30	70.00	21.00

EXPENSES

10/31/2012	10/17/12 PHOTOCOPYING CHARGES	6.60
	TOTAL EXPENSES	6.60
	TOTAL CURRENT WORK	4,274.10
	BALANCE DUE	<u>\$4,274.10</u>

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Nov. 30, 2012
4411
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
11/01/2012		
JH	TELEPHONE CALL WITH PLAINTIFF'S COUNSEL; E-MAIL TO S. PARKER REGARDING SAME.	0.30
11/02/2012		
JH	SEVERAL E-MAILS TO/FROM PLAINTIFF'S COUNSEL REGARDING OPEN ISSUES; E-MAILS TO S. PARKER REGARDING SAME.	0.80
DA	PHONE CALL WITH STEVE PARKER AND BOB TERRY REGARDING FILING A MOTION TO STAY OR DISMISS DELAWARE CASE	0.40
11/03/2012		
JH	E-MAIL TO S. PARKER REGARDING STATUS.	0.20
11/05/2012		
JH	CONFER WITH D. ANTHONY REGARDING OMITTED COMPULSORY COUNTERCLAIMS; RESEARCH REGARDING SAME; TELEPHONE CALL WITH S. PARKER REGARDING SAME; E-MAILS TO/FROM S. PARKER.	1.30
DA	RESEARCHING STANDARD FOR FILING COMPULSORY COUNTERCLAIMS AFTER THE CLOSE OF PLEADINGS; WHETHER MOTION TO STAY SATISFIES RESPONSIVE PLEADING REQUIREMENTS	0.80
11/06/2012		
JH	REVIEW/REVISE DRAFT ANSWER/AFFIRMATIVE DEFENSES; CONFER WITH D. ANTHONY REGARDING SAME; E-MAILS TO/FROM S. PARKER.	1.80
DA	DRAFTING ANSWER AND AFFIRMATIVE DEFENSES	3.40

TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

		HOURS
11/07/2012		
JH	MORE REVISIONS TO DRAFT ANSWER; CONFER WITH D. ANTHONY; SEVERAL EXTERNAL E-MAILS REGARDING OPEN ITEMS.	0.70
DA	EDITING/ REVISING ANSWER AND AFFIRMATIVE DEFENSES; PREPARING SAME FOR FILING AND FILING SAME	0.50
11/08/2012		
JH	SEVERAL EXTERNAL E-MAILS.	0.20
DA	PHONE CALLS WITH PLAINTIFFS' COUNSEL REGARDING SERVICE OF PROCESS ON MR. ALLECA; DRAFTING EMAIL REGARDING SAME TO BOB TERRY; CONFERENCE CALL WITH BOB TERRY DISCUSSING SAME	0.70
11/15/2012		
DA	PHONE CALL WITH STEVE PARKER REGARDING POTENTIAL DEFAULT JUDGMENT AGAINST MR. ALLECA AND SUMMIT WEALTH'S INSURANCE COVERAGE OF DISPUTE	0.20
11/19/2012		
JH	INTERNAL COMMUNICATIONS REGARDING DEFAULT JUDGMENT MOTION.	0.20
DA	REVIEWING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT AGAINST MR. ALLECA; EMAILING SAME TO STEVE PARKER AND BOB TERRY	0.40
11/21/2012		
JH	VOICE-MAIL FROM S. PARKER; TELEPHONE CALL WITH S. PARKER; E-MAILS TO/FROM S. PARKER REGARDING DEFAULT JUDGMENT.	0.40
11/23/2012		
JH	E-MAILS TO/FROM S. PARKER REGARDING GROUNDS FOR MOTION TO STAY.	0.30
11/24/2012		
JH	E-MAIL TO S. PARKER REGARDING ANTICIPATED STAY MOTION; E-MAIL TO OPPOSING COUNSEL REGARDING SAME.	0.30
11/26/2012		
JH	REVIEW AND REVISE DRAFT NOTICE OF STAY AND OPPOSITION TO DEFAULT JUDGMENT MOTION; FINALIZE SAME PLUS COVER LETTER TO COURT.	0.50
MN	FILE DEFENDANT SUMMIT WEALTH MANAGEMENT, INC.'S RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT.	0.40
MN	FILE LETTER FROM JOHN G. HARRIS, ESQUIRE TO THE HONORABLE DONALD F. PARSONS, JR. DATED NOVEMBER 26, 2012 ENCLOSING A COURTESY COPY OF RECEIVER, ROBERT E. TERRY'S NOTICE OF STAY ON BEHALF OF DEFENDANT SUMMIT WEALTH MANAGEMENT, INC.	0.30
DA	DRAFTING NOTICE OF STAY, OPPOSITION TO MOTION FOR ENTRY OF DEFAULT JUDGMENT AND COVER LETTER TO THE COURT REGARDING SAME	2.40
11/28/2012		
JH	REVIEW PLAINTIFFS' COUNSEL LETTER TO COURT DATED 11/28/12	

ROBERT D. TERRY, ESQUIRE

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TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

	HOURS	
DA		
NOTICING OPPOSITION TO NOTICE OF STAY; CONFER WITH D. ANTHONY REGARDING SAME.	0.30	
REVIEWING LETTER FROM PLAINTIFFS' COUNSEL REGARDING OPPOSITION TO STAY; EMAILING SAME TO CO-COUNSEL	0.20	
FOR CURRENT SERVICES RENDERED	17.00	4,694.50

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JOHN HARRIS	7.30	\$285.00	\$2,080.50
DAVID ANTHONY	9.00	285.00	2,565.00
MARSHA NICHOLLS	0.70	70.00	49.00

ADVANCES

11/19/2012	10/12 FILING FEES - LEXISNEXIS	22.00
11/19/2012	10/12 ONLINE DOCUMENT FEE - LEXISNEXIS	70.50
11/28/2012	10/12 INFORMATION CHARGES - WEST	184.46
	TOTAL ADVANCES	276.96
	TOTAL CURRENT WORK	4,971.46
	PREVIOUS BALANCE	\$4,274.10
	BALANCE DUE	<u>\$9,245.56</u>

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STATEMENT DATE:
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Dec. 31, 2012
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
12/11/2012		
JH	INTERNAL CONFERENCE REGARDING STATUS OF PLAINTIFF'S OBJECTION TO RECEIVER'S NOTICE OF STAY; E-MAIL TO S. PARKER.	0.20
12/12/2012		
JH	E-MAIL TO S. PARKER AND R. TERRY TRANSMITTING PLAINTIFF'S OPPOSITION TO NOTICE OF STAY.	0.30
12/17/2012		
JH	E-MAILS TO/FROM S. PARKER REGARDING REPLY IN FURTHER SUPPORT OF NOTICE OF STAY; NUMEROUS FOLLOW UP E-MAILS TO/FROM S. PARKER AND OPPOSING COUNSEL REGARDING SAME.	0.60
12/18/2012		
JH	SEVERAL E-MAILS TO/FROM OPPOSING COUNSEL AND S. PARKER REGARDING ORAL ARGUMENT ON RECEIVER'S NOTICE OF STAY.	0.40
12/19/2012		
JH	E-MAILS TO/FROM S. PARKER REGARDING ORAL ARGUMENT ON NOTICE STAY; E-MAILS TO/FROM OPPOSING COUNSEL REGARDING SAME.	0.30
12/26/2012		
JH	SEVERAL E-MAILS TO OPPOSING COUNSEL AND TRUSTEE REGARDING STAY ISSUE.	0.40
12/28/2012		
JH	E-MAILS TO/FROM D. EAGLE.	0.10

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TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

12/31/2012

JH

DRAFTING REPLY IN FURTHER SUPPORT OF NOTICE OF STAY.
FOR CURRENT SERVICES RENDERED

HOURS

2.20

4.50

1,282.50

TIMEKEEPER
JOHN HARRIS

RECAPITULATION

HOURS

4.50

RATE
\$285.00

TOTAL
\$1,282.50

ADVANCES

12/19/2012

11/12 INFORMATION CHARGES - WEST

63.79

12/19/2012

11/12 FILING FEES - FILE & SERVEXPRESS

88.50

12/20/2012

11/26 DELIVER NOTICE TO STAY TO CHANCERY COURT - RELIABLE

5.00

TOTAL ADVANCES

157.29

TOTAL CURRENT WORK

1,439.79

PREVIOUS BALANCE

\$9,245.56

BALANCE DUE

\$10,685.35

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STATEMENT DATE:
STATEMENT NO.
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Jan. 31, 2013
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
1/02/2013		
JH	CONTINUE PREPARING REPLY IN FURTHER SUPPORT OF NOTICE TO STAY; E-MAILS TO/FROM S. PARKER REGARDING STATUS OF SAME.	
DA	EDITING/REVISING REPLY TO PLAINTIFF'S OPPOSITION TO NOTICE OF STAY	1.30
		1.50
1/03/2013		
JH	REVIEW/REVISE DRAFT REPLY IN SUPPORT OF NOTICE OF STAY.	0.60
DA	EDITING/REVISING REPLY IN SUPPORT OF NOTICE OF STAY; PREPARING SAME FOR FILING	1.20
1/04/2013		
JH	REVIEW RECEIVER'S COMMENTS TO DRAFT REPLY IN SUPPORT OF NOTICE OF STAY; FURTHER REVISIONS TO SAME DRAFT; CONFER WITH D. ANTHONY REGARDING SAME; REVIEW S. PARKER'S FINAL COMMENT; E-NOTICE REGARDING SCHEDULING OF ORAL ARGUMENT.	1.80
MN	FILE DEFENDANT SUMMIT WEALTH MANAGEMENT, INC'S REPLY IN SUPPORT OF NOTICE OF STAY WITH SUPPORTING DOCUMENTS.	0.40
1/07/2013		
JH	CONFER WITH D. ANTHONY REGARDING PREP FOR ORAL ARGUMENT ON DEFAULT MOTION AND NOTICE OF STAY; E-MAILS TO/FROM PLAINTIFFS' COUNSEL REGARDING SCHEDULING.	0.60
DA	DRAFTING OUTLINE IN PREPARATION OF ORAL ARGUMENT ON PLAINTIFF'S MOTION TO SEEK RELIEF FROM STAY	1.50
1/08/2013		
JH	CONFER WITH D. ANTHONY IN FURTHER PREPARATION FOR	

• ROBERT D. TERRY, ESQUIRE

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• TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

HOURS

DA TODAY'S ORAL ARGUMENT; ATTEND SAME ORAL ARGUMENT;
ATTEND SAME ORAL ARGUMENT; CONFER WITH PLAINTIFFS'
COUNSEL FOLLOWING ORAL ARGUMENT.
PREPARING FOR AND ATTENDING ORAL ARGUMENT ON
PLAINTIFFS MOTION FOR RELIEF FROM STAY; DRAFTING EMAIL TO
CO-COUNSEL REGARDING SAME

2.20

2.30

11/17/2013

JH SEVERAL E-MAILS TO/FROM S. PARKER AND COURT REPORTER
REGARDING TRANSCRIPT.

0.30

11/30/2013

DA REVIEWING STATUS OF COMPANION CASE AND EMAILING
CO-COUNSEL REGARDING SAME
FOR CURRENT SERVICES RENDERED

0.40

14.10

3,932.50

RECAPITULATION

TIMEKEEPER

JOHN HARRIS

DAVID ANTHONY

MARSHA NICHOLLS

HOURS

6.80

6.90

0.40

RATE

\$285.00

285.00

70.00

TOTAL

\$1,938.00

1,966.50

28.00

ADVANCES

11/10/2013	MOTION FEES - REGISTER IN CHANCERY	75.00
11/28/2013	4th QTR '12 STATUTORY FILING FEES - FILE SERVEXPRESS	74.00
11/28/2013	4th QTR 2012 COURT ELECTRONIC RECORDS - PACER	16.50
11/28/2013	DELIVER DEFENDANT'S REPLY RE: NOTICE TO STAY - RELIABLE	10.00
11/28/2013	HAND DELIVERY OF COPIES OF FILINGS TO VC PARSONS - RELIABLE	5.00
	TOTAL ADVANCES	180.50
	TOTAL CURRENT WORK	4,113.00
	PREVIOUS BALANCE	\$10,685.35
	BALANCE DUE	<u>\$14,798.35</u>

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STATEMENT DATE:
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Feb. 28, 2013
4702
99308.00
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS		
02/21/2013	JH	E-MAILS TO/FROM D. EAGLE REGARDING REQUESTED 3RD PARTY DISCOVERY; E-MAIL TO CO-COUNSEL REGARDING SAME.	0.30	
02/26/2013	JH	E-MAIL TO S. PARKER FOLLOWING UP ON OPPOSING COUNSEL'S REQUEST FOR 3RD PARTY DISCOVERY; SEVERAL FOLLOW-UP E-MAILS TO/FROM CO-COUNSEL AND OPPOSING COUNSEL.	0.40	
02/27/2013	JH	TELEPHONE CALL WITH CO-COUNSELING AND OPPOSING COUNSEL REGARDING TOLL'S REQUEST FOR 3RD PARTY DISCOVERY FROM RECEIVER-SHIP; E-MAILS TO/FROM RECEIVER.	0.60	
02/28/2013	JH	TELEPHONE CALL WITH RECEIVER, RECEIVER'S COUNSEL AND TOLL'S COUNSEL REGARDING 3RD PARTY DISCOVERY.	0.50	
		FOR CURRENT SERVICES RENDERED	1.80	513.00

RECAPITULATION

TIMEKEEPER	HOURS	RATE	TOTAL
JOHN HARRIS	1.80	\$285.00	\$513.00

ADVANCES

02/21/2013	1/13 FILING FEES - FILE & SERVEXPRESS	23.00
02/25/2013	1/13 INFORMATION CHARGES - WEST	383.05
	TOTAL ADVANCES	406.05

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* ROBERT D. TERRY, ESQUIRE

TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

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TOTAL CURRENT WORK

919.05

PREVIOUS BALANCE

\$14,798.35

BALANCE DUE

\$15,717.40

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STATEMENT DATE:
STATEMENT NO.
ACCOUNT NO.

Mar. 31, 2013
4863
99308.00
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

	PREVIOUS BALANCE	\$15,717.40
	<u>ADVANCES</u>	
03/26/2013	2/27 TELECONFERENCE - PREMIERE GLOBAL SERVICES	5.55
	TOTAL ADVANCES	5.55
	TOTAL CURRENT WORK	5.55
	BALANCE DUE	<u>\$15,722.95</u>

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C/O STEPHEN PARKER/PAGE PERRY, LLC
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STATEMENT DATE:
STATEMENT NO.
ACCOUNT NO.

Apr. 30, 2013
4960
99308.00
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

	PREVIOUS BALANCE	\$15,722.95
	<u>ADVANCES</u>	
04/24/2013	1ST QTR '13 STATUTORY FILING FEES - FILE SERVEXPRESS	30.00
	TOTAL ADVANCES	30.00
	TOTAL CURRENT WORK	30.00
	BALANCE DUE	<u>\$15,752.95</u>